MOW 3082-1.2 (10/2014)

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF MISSOURI Kansas City

In re:)
NAPOLEON FLOYD HOLLISTER)
BERNADINE NMN HOLLISTER) Case No. 15-40651-drd13
Debtors,) Chapter 13
BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY)))
Creditor.)))

MOTION TO APPROVE PERMANENT HOME MORTGAGE MODIFICATION AND SHORTEN NOTICE

COME NOW Bayview Loan Servicing, LLC, a Delaware Limited Liability Company ("Bayview") by and through counsel Carrie D. Mermis, Steven M. Leigh, and the law firm of Martin, Leigh, Laws & Fritzlen, P.C. and for its Motion states as follows:

- 1. Debtors filed their Chapter 13 petition on March 11, 2015.
- 2. Debtors have a mortgage with Bayview.
- 3. Debtors and Bayview have entered into a mortgage modification regarding residential real estate located at 6508 East 155th, Grandview, MO 64030.
- 4. Per the terms of the mortgage modification, the modification began with the May 1, 2015, payment. The modification was conditioned on a three (3) month trial period from May 1, 2015, to July 1, 2015, which has been successfully completed. The mortgage payment as of May 1, 2015, is \$322.52 (\$226.39 principal and interest, \$96.13

Case 15-40651-drd13 Doc 66 Filed 07/24/15 Entered 07/24/15 15:29:49 Desc Main Document Page 2 of 3

MOW 3082-1.2 (10/2014)

escrow). The escrow amount may adjust annually. The interest rate is 2.000% from April

1, 2015, to March 31, 2018. The interest rate then increases to 3.000% for 1 year, and

then to 4.000% for the remaining term of the loan.

5. The unpaid balance on the loan is \$93,294.66. Bayview agrees to defer and waive

interest upon \$21,130.74 ("Deferred Balance") until the loan matures on March 1, 2053,

at which time the Deferred Balance shall be immediately due and payable as a balloon

payment, as well as any outstanding amounts due under the terms of the mortgage.

6. Debtors are making direct post-petition payments to Creditor and will continue to

do so.

7. Creditor requests this Honorable Court schedule the matter on the next available

docket, or in the alternative, grant Creditor's request without a hearing after the

expiration of the notice period.

WHEREFORE, Creditor prays this Court enter an Order granting this Motion to Approve

Permanent Home Mortgage Modification and for such other relief as the Court deems necessary and

proper.

July 24, 2015

Respectfully submitted,

Date

MARTIN, LEIGH, LAWS & FRITZLEN, P.C

/s/Carrie D. Mermis

Carrie D. Mermis, #59388, cdm@mllfpc.com
Steven M. Leigh, #29268, sml@mllfpc.com

1044 Main Street, Suite 900

Kansas City, MO 64105

Telephone: (816) 221-1430 Fax: (816) 221-1044 ATTORNEYS FOR CREDITOR MOW 3082-1.2 (10/2014)

NOTICE OF MOTION

Any party with an objection is directed to file a Response to the motion within seven (7) days of the date of this notice with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at http://ecf.mowb.uscourts.gov. Information about electronic filing can be found on the Court website at www.mow.uscourts.gov. Parties not represented by an attorney may mail a response to the Court at the address below. If a response is timely filed, a Notice of Hearing will be provided to all interested parties by the Court. If no response is filed within seven (7) days, the Court will enter an order granting the motion.

CERTIFICATE OF SERVICE

The undersigned hereby certify that a true and correct copy of the Motion was served, in addition to the parties notified by the US Bankruptcy Court's electronic notification, upon the affected creditors and other parties in interest via US First Class Mail, postage prepaid, this 24th day of July, 2015:

Jason C. Amerine Castle Law 811 Grand Blvd., Suite 101 Kansas City, MO 64106

Richard Fink Suite 1200 2345 Grand Blvd. Kansas City, MO 64108-2663

Office of the U.S. Trustee 400 E. 9th Street, Suite 3440 Kansas City, MO 64106

and via United States mail, postage prepaid, to:

Napoleon Floyd Hollister Bernadine NMN Hollister 6508 E. 155th Street Grandview, MO 64030

/s/Carrie D. Mermis	
Attorney for Creditor	